

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MOHAMMED SABBAGHI

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary, Dept. of
Homeland Security, and JULIA HARRISON,
Seattle Field Office Director, U.S. Citizenship
and Immigration Services

Defendants.

NO. C08-01641-TSZ

**UNITED STATES' MOTION TO
EXTEND TIME TO ANSWER
PLEAD, OR OTHERWISE
RESPOND TO PLAINTIFF'S
COMPLAINT**

(Noted for Consideration on
January 9, 2009, Pursuant to Local Rule
7(d)(2))

COME NOW the Defendants, Michael Chertoff and Julia Harrison, by and through their counsel, Gregory G. Katsas, Assistant Attorney General at the United States Department of Justice, J. Max Weintraub, Senior Litigation Counsel for said agency, and Stacey I. Young, Trial Attorney for said agency, and move pursuant to Fed.R.Civ.P. 16(b)(4), to extend the deadline to answer, plead, or otherwise respond to Plaintiff's complaint.

Plaintiff filed his complaint on November 10, 2008 (Dkt. #1). The current deadline by which Defendants must answer, plead, or otherwise respond to the complaint is January 9, 2009. As a result of office closures due to weather, local counsel at the United States Citizenship and Immigration Services has been unable to file the administrative record, which Defendants' counsel needs to respond properly to Plaintiff's complaint. Thus, Defendants request a 30-day extension, so that their response would be due on February 10, 2009.

1 Defendants also request this additional amount of time in light of the undersigned's large
2 litigation docket. At or about the same time the undersigned was assigned to prepare the
3 Government's response in this case, she was also assigned and prepared, or will prepare,
4 principal briefs or arguments in: Singh v. Cicchi, et al., No. 08-3436 (3d Cir.); Salinas-Gonzalez
5 v. Godfrey, et al., No. 05-36007 (9th Cir.), Dajian Ni v. United States Citizenship and
6 Immigration Services, No. 08-03883 (Central Dist. of CA); and Neves v. United States, No. 07-
7 1091 (E. Dist. of MA).

8 Thus, Defendants respectfully request that the Court stay the deadline to answer, plead, or
9 otherwise respond to Plaintiff's complaint to February 10, 2009.¹

10 DATED this 31st day of December, 2008.

11 Respectfully submitted,

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13 GREGORY G. KATSAS
14 United States Department of Justice
15 Assistant Attorney General
16 J. MAX WEINTRAUB
17 Senior Litigation Counsel
18 U.S. Department of Justice
19 Office of Immigration Litigation
20 District Court Section

21 /s Stacey I. Young
22 STACEY I. YOUNG DCBA #499324
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Attorneys for United States

1 Plaintiff's counsel, Bart Klein, Esq., indicated by e-mail on December 30, 2008, that he
opposes Defendants' request for an extension.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Western District of Washington and is a person of such age and discretion as to be competent to serve papers;

It is further certified that on December 31, 2008, I electronically filed the United States' Motion to Extend Defendants' Time to Answer, Plead, or Otherwise Respond with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

Bart Klein bart.klein@bartklein.com

I further certify that on December 31, 2008, I mailed by United States Postal Service the United States' Motion to Extend Defendants' Time to Answer, Plead, or Otherwise Respond to the following non-CM/ECF participant(s)/CM/ECF participant(s), addressed as follows:

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Dated this 31st day of December, 2008.

/s/ Amy Hanson
AMY HANSON, Legal Assistant
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